

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HAIRU MA, :
:
Plaintiff, :
: 22-CV-10784 (JMF)
-v- :
:
THE INDIVIDUALS, CORPORATIONS, LIMITED :
LIABILITY COMPANIES, PARTNERSHIPS, AND :
UNINCORPORATED ASSOCIATIONS IDENTIFIED :
ON SCHEDULE A HERETO, :
:
Defendants. :
:
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JESSE M. FURMAN, United States District Judge:

On April 28, 2023, Plaintiff filed a letter indicating that it intends to move for default judgment. *See* ECF No. 71. Plaintiff shall file any motion for default judgment, in accordance with the Court’s Individual Rules and Practices for Civil Cases (available at <https://nysd.uscourts.gov/hon-jesse-m-furman>), by **May 16, 2023**. Any opposition shall be filed by **June 6, 2023**. The Court will schedule a show-cause hearing at a later time.

In any motion, Plaintiff shall address whether the Court has jurisdiction to enter default judgment against Defendants, to the extent that their addresses are known, given that they were served only electronically pursuant to Article 15 of the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (the “Hague Convention”). *See* Memorandum Opinion and Order, *Moonbug Ent. Ltd. v. 012 Stickers Store*, No. 22-CV-2394 (JMF), ECF No. 46 (S.D.N.Y. Dec. 16, 2022) (holding that the plaintiff must serve defendants in China through the normal processes of the Hague Convention for the Court to be able to enter

default judgment, as prior electronic service under Article 15 did not suffice).¹ In the alternative, Plaintiff can move **by the same date** for (1) a stay of this case pending the appeal in *Smart Study Co. v. Acuteye-Us*, No. 21-CV-5860 (GHW) (S.D.N.Y. appeal filed Aug. 18, 2022); or (2) additional time to effectuate service through the normal processes of the Hague Convention.

Plaintiff shall serve a copy of this Order on all remaining Defendants, in accordance with the means of service authorized by the Preliminary Injunction Order, *see* ECF No. 56, ¶ 6, within **two business days** and file proof of such service within **three business days**.

SO ORDERED.

Dated: May 2, 2023
New York, New York



JESSE M. FURMAN
United States District Judge

¹ By its terms, the Hague Convention does not apply to defendants whose addresses are not known. Hague Convention, art. I.